

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**JOHN B. TERRELL**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 2:08cv94-KS-MTP**

**MEDICAL DEPARTMENT, et al.**

**DEFENDANTS**

**ORDER**

THIS MATTER is before the court upon a “Motion of Discovery” [31] filed by Plaintiff. In the motion, Plaintiff requests that Defendants provide the full names and addresses for Defendants “Unknown Lieutenant Grace” and “Unknown Officer Brewer.” These Defendants have not yet been served with process, due to Plaintiff’s failure to sufficiently identify them. In an Order [29] dated June 4, 2009, this court ordered Plaintiff to provide the court with these Defendants’ full names and place(s) of current employment within thirty days, so that process could be re-issued and served. Having reviewed the records in his possession, Plaintiff is apparently unable to provide the court with this information; therefore, he requests in the instant motion that Defendants be ordered to do so.

In the interest of expediting resolution of this case (which has been pending since May 1, 2008), and because the court finds that Plaintiff is entitled to certain information to the extent it is within the knowledge, possession, custody or control of the Defendants before the court, it is, therefore, ORDERED THAT:

1. Plaintiff’s “Motion of Discovery” is granted. All Defendants before the court shall, to the extent that such information is within their knowledge, possession, custody or control, produce to the court within ten (10) days the full names and last known addresses of Defendants “Unknown Lieutenant Grace” and “Unknown Officer Brewer.” If Defendants before

do not have knowledge, possession, custody or control of this information, they shall file a statement to that effect within ten (10) days.

2. If the last known addresses are personal, Defendants shall file them with the court under seal.

3. It is Plaintiff's responsibility to prosecute this case. Failure to advise this Court of a change of address or failure to comply with any order of this Court will be deemed a purposeful delay and contumacious act by Plaintiff and may result in dismissal of this case.

SO ORDERED AND ADJUDGED this the 8<sup>th</sup> day of July, 2009.

s/ Michael T. Parker

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United States Magistrate Judge